

R E M A R K S

In the Office Action, claim 1 was rejected under 35 USC 103(a) as unpatentable over Miyakawa et al in view of Ida et al for the reasons stated in the Office Action.

The present claimed invention recites an engine starter including a recoil device and a ring gear operatively rotated with the recoil device. A recoil cover accommodates the recoil device and the ring gear therein. A starter device has pinions engaged with the ring gear. A drain mechanism is provided on the recoil cover for allowing a liquid entering from the recoil cover to be discharged using a one-touch operation.

Miyakawa et al disclose an engine starter comprising a recoil device, a ring gear, operatively rotated with said recoil device, a recoil cover for accommodating the recoil device and ring gear, and a starter having pinions engaged with the ring gear. Unlike the present claimed invention, Miyakawa et al does not include a drain Mechanism as stated by the Examiner. In the present claimed invention, the ring gear is rotated with a recoil device. However, unlike the present claimed invention, the ring gear 83 of Miyakawa et al is not rotated with a recoil starter 85 corresponding to the recoil device of the present application since the ring gear 83 of Miyakawa et al. is mounted on a crankshaft 79 through a one way clutch 84, and is not connected with the recoil starter 85. In other words, the ring gear of Miyakawa et al can be rotated only by a starter motor.

Furthermore, the recoil cover of the present claimed invention contains the recoil device and the ring gear. However, the second rear cover 87 of Miyakawa et al., which corresponds to the recoil cover of the present claimed invention, does not contain the ring gear.

Thus, not only does Miyakawa et al fail to disclose the drain mechanisms in the present claimed invention, but also neither discloses nor suggests rotation of the ring gear with a recoil starter or a ring cover containing a ring gear as in the present claimed invention.

Ida et al only just disclose a moisture draining arrangement for a vertical shaft engine starter. Ida et al neither disclose nor suggest such a configuration wherein the drain apparatus can discharge water entering from the recoil cover by one-touch operation within the recoil cover as in the present claimed invention.

Ida et al neither disclose nor suggest a drain apparatus provided within a recoil cover for discharging water that enters into the recoil cover using a one-touch operation as in the present claimed invention. Therefore, it is respectfully submitted that Ida et al when taken alone or in combination with Miyakawa et al does not add anything that would make the present claimed invention unpatentable. It is thus further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Claim 2 was rejected under 35 USC 103(a) as unpatentable over Miyakawa et al in view of Ida et al applied to claim 1, and further in view of Gotoh (US Patent 4,491,754) on the grounds set forth in the Office Action. Gotoh neither discloses nor suggests a ring gear that is rotatable directly by a recoil device as in the present claimed invention. Gotoh also neither discloses nor suggests a recoil cover that contains the ring gear therein as in the present claimed invention. Therefore, Gotoh adds nothing when taken alone or in combination with Miyakawa et al or Ida et al adds nothing that would make the present claimed invention unpatentable. As claim 2 is dependent on Claim 1, it is respectfully submitted that claim 2 is allowable for the same reasons as claim 1. In view of the above remarks and the remarks regarding the rejection of claim 1, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

Claim 3 was rejected under 35 USC 103(a) as unpatentable over Miyakawa et al in view of Ida et al as applied to claim 1, and further in view of Haynes (US Patent 4,757,710) for the reasons stated in the Office Action. Haynes neither discloses nor suggests a ring gear that is rotatable directly by a recoil device as in the present claimed invention. Gotoh also neither discloses nor suggests a recoil cover that contains the ring gear therein as in the present claimed invention. Therefore, Haynes adds nothing when taken alone or in combination with Miyakawa et

al in view of Ida et al adds nothing that would make the present claimed invention unpatentable. As claim 3 is dependent on Claim 1, it is respectfully submitted that claim 3 is allowable for the same reasons as claim 1. In view of the above remarks and the remarks regarding the rejection of claim 1, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

Claim 4 was rejected under 35 USC 103(a) as unpatentable over Miyakawa et al in view of Ida et al and Gotoh as applied to claim 2, and further in view of Haynes on the grounds set forth in the Office Action. Haynes neither discloses nor suggests a ring gear that is rotatable directly by a recoil device as in the present claimed invention. Haynes also neither discloses nor suggests a recoil cover that contains the ring gear therein as in the present claimed invention. Therefore, Haynes add nothing when taken alone or in combination with Miyakawa et al in view of Ida et al and Gotoh adds nothing that would make the present claimed invention unpatentable. As claim 4 is dependent on Claim 1, it is respectfully submitted that claim 4 is allowable for the same reasons as claim 1. In view of the above remarks and the remarks regarding the rejection of claim 1, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

Claim 5 was rejected under 35 USC 103(a) as unpatentable over Miyakawa et al in view of Ida et al as applied to claim 1, and further in view of Ida et al (US Patent 4,038,051) for the reasons stated in the Office Action. Ida et al neither discloses

nor suggests a ring gear that is rotatable directly by a recoil device as in the present claimed invention. Ida et al also neither discloses nor suggests a recoil cover that contains the ring gear therein as in the present claimed invention. Therefore, Ida et al adds nothing when taken alone or in combination with Miyakawa et al in view of Ida et al adds nothing that would make the present claimed invention unpatentable. As claim 5 is dependent on Claim 1, it is respectfully submitted that claim 5 is allowable for the same reasons as claim 1. In view of the above remarks and the remarks regarding the rejection of claim 1, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

Claim 6 was rejected under 35 USC 103(a) as unpatentable over Miyakawa et al in view of Ida et al and Gotoh as applied to claim 2, and further in view of Ida et al on the grounds set forth in the Office Action. Ida et al when taken alone or in any combination with Miyakawa et al Ida et al and Gotoh would make the present claimed invention unpatentable. As claim 6 is dependent on Claim 1, it is respectfully submitted that claim 6 is allowable for the same reasons as claim 1. In view of the above remarks and the remarks regarding the rejection of claim 1, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

Claim 7 was rejected under 35 USC 103(a) as unpatentable over Miyakawa et al in view of Ida et al and Haynes as applied to claim 3, and further in view of Ida et al for the reasons stated

in the Office Action. Ida et al when taken alone or in any combination with Miyakawa et al Ida et al and Haynes would make the present claimed invention unpatentable. As claim 7 is dependent on Claim 1, it is respectfully submitted that claim 7 is allowable for the same reasons as claim 1. In view of the above remarks and the remarks regarding the rejection of claim 1, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

Claim 8 was rejected under 35 USC 103(a) as unpatentable over Miyakawa et al in view of Ida et al, Haynes and Gotoh as applied to claim 4, and further in view of Ida et al on the grounds set forth in the Office Action. Ida et al when taken alone or in any combination with Miyakawa et al Ida et al and Haynes would make the present claimed invention unpatentable. As claim 8 is dependent on Claim 1, it is respectfully submitted that claim 8 is allowable for the same reasons as claim 1. In view of the above remarks and the remarks regarding the rejection of claim 1, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

In the event there are further issues remaining the Examiner is respectfully requested to telephone attorney to reach agreement to expedite issuance of this application.

Since the present claims set forth the present invention patentably and distinctly, and are not taught by nor obvious from the cited art as correctly recognized by the Examiner, this

amendment is believed to place this case in condition for allowance and the Examiner is respectfully requested to reconsider the matter, enter this amendment, and to allow all of the claims in this case.

Respectfully submitted  
Fusao Tachibana

by: \_\_\_\_\_  
MARTIN A. FARBER  
Attorney for Applicant  
Registered Representative  
Registration No.: 22,345

CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that the accompanying Response is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner of Patents and Trademarks, Washington, D.C. 20231, on October 2, 2002.

Dated: October 2, 2002

\_\_\_\_\_  
MARTIN A. FARBER

866 United Nations Plaza  
Suite 473  
New York, NY 10017  
(212) 758-2878